STATE OF HAWAII

PUBLIC EMPLOYMENT RELATIONS BOARD

In the Matter of	
HAWAII GOVERNMENT EMPLOYEES' ASSOCIATION, LOCAL 152, AFSCME, AFL-CIO,	Case No. RA-03-11 RA-04-12 RA-13-13
Petitioner,)	50)
and)	*
STATE OF HAWAII,	Order No. 123
Employer,	**************************************
and	
ELSIE OSHITA, FLORENCE MAEDA, FRANCIS S. C. FONG, DONALD E. GATELY, NED GLENN, WARREN Y. YAMADA, ROBERT MURASHIGE, et al.,	
Intervenors.))

ORDER GRANTING SECOND SUPPLEMENTAL MOTION TO DISMISS PETITIONS FOR INTERVENTION

On April 28, 1977, Petitioner HGEA filed a motion to dismiss the petitions to intervene filed herein on April 27, 1977, by the following five employees:

Mildred Toledo, Michael Ho, Maurice Jackson, Clement E. Nelson, and Barbara Tom.

All of the aforesaid intervenors have alleged, as the sole basis of their statutory or other right in the subject proceeding, that they occupy excluded positions which are slated for inclusion in an appropriate unit pursuant to a stipulation between the Petitioner and the State of Hawaii.

They also asserted:

"As a direct and immediate result of the hearings, Petitioner may be converted from an excluded to an included position and be required to pay service fees as provided by law. Petitioner believes that testimony to be presented would aid the Board in reaching a correct result in said position."

The amended petitions for unit clarification filed by Petitioner HGEA now before this Board do not include any excluded positions occupied by the aforesaid persons except for the Unit 4 position occupied by Clement E. Nelson (Position 3047, Office Manager IV). They, apart from Mr. Nelson's position, are not slated for inclusion in an appropriate unit and their status will not change as a result of the pending cases.

Records of the Department of Personnel Services,

State of Hawaii, indicate that the positions occupied by

Michael Ho and Barbara Tom already are in appropriate bargaining units.

The petitioners for intervention, other than

Mr. Nelson, have shown no statutory or other right to intervene in these proceedings; their intervention would unduly broaden the issues in the subject cases. For these reasons, the motions of Mildred Toledo, Michael Ho, Maurice Jackson and Barbara Tom to intervene are dismissed.

The motion of Petitioner HGEA, except as to Mr. Nelson, is granted.

HAWAII PUBLIC EMPLOYMENT RELATIONS BOARD

Mack-H. Hamada, Chairman

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James K. Clark, Board Member

John E. Milligan, Board Member

Dated: May 2, 1977

Honolulu, Hawaii